

## **Comments for Consideration in the Development of a Federal Bay-Delta Work Plan for Near Term Actions in the Delta**

The State Water Resource Control Board, the Central Valley Regional Water Board, and the San-Francisco Bay Regional Water Board (Water Boards) are interested in coordinating with the Federal agencies in the development of a Delta Work Plan (Work Plan). Where possible, the Work Plan should help the Water Boards achieve our mission *"to preserve, enhance and restore the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations."* In order to maximize the benefit of the Work Plan, we believe it should build upon work that has already been done and enhance coordination with work already underway.

The Water Boards' highest priority Delta-related activities include activities in the Strategic Workplan for Activities in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Strategic Workplan) adopted July 16, 2008 by State Water Board Resolution 2008-0056. The Waterboards coordinate efforts related to the Bay-Delta Strategic Workplan, and other Bay-Delta related work, through the Bay-Delta Team which consists of Water Board representatives from the Divisions of Water Rights, Water Quality, and Financial Assistance, and the Central Valley and San-Francisco Bay Regional Boards. For more information see

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/)

We commend the Federal agencies, and appreciate the call-to-action that the California Bay-Delta Memorandum of Understanding Between Federal Agencies (MOU) represents, and look forward to working with the Federal agencies in the coming months. The MOU lists eight issues for which actions may be included in the Work Plan. We would like to call out several areas where coordination would be particularly useful related to three of these issues:

### Interagency Scientific Coordination

According to the MOU, the Work Plan may include an interagency science program to provide a common scientific basis for agency efforts and to address key uncertainties in scientific information with potential to inform management decisions in the near-term and long-term.

The Interagency Ecological Program (IEP) is a cooperative effort on the part of its nine member agencies, which include U.S. Bureau of Reclamation, U.S. Fish and Wildlife Service, U.S. Geological Survey, U.S. Army Corps of Engineers, National Marine Fisheries Service, U.S. Environmental Protection Agency, California Department of Water Resources, California Department of Fish and Game, and the State Water Resources Control Board. The member agencies work together to develop a better understanding of the San Francisco Bay/Sacramento-San Joaquin Delta Estuary's (Bay-Delta) ecology and the effects of the State Water Project and Federal Central Valley Project operations on the physical, chemical,

and biological conditions on the Bay-Delta. It is unclear, if and how, the proposed interagency science program will interface with the existing IEP.

#### Water Quality Threats to the Delta

According to the MOU, the Work Plan may include actions to address water quality threats to the Delta through the expedited development and implementation of a water quality monitoring and assessment program and integrating agency actions with such a program.

First, any proposed action related to monitoring and assessment should be closely coordinated with on-going efforts such as the planning process initiated by the State Water Resources Control Board and Central Valley Regional Water Quality Control Board to develop a Delta Regional Monitoring Program for contaminants (Delta RMP), the Interagency Ecological Program's Environmental Monitoring Program and other studies, the Bay Delta Conservation Plan planning efforts, and the effort to develop a monitoring and assessment framework for the Delta (lead by Dr. Samuel Luoma and sponsored by the CALFED Science Program). Within the Water Boards, the Delta RMP will be consistent with the Surface Water Ambient Monitoring Program (SWAMP) and the California Water Quality Monitoring Council. SWAMP has committed to support the development of a Delta RMP.

The Water Boards, in collaboration with a diverse array of stakeholders, have initiated a planning process to develop a Delta RMP. The short-term goal of the Delta RMP (Phase I, 1-2 years) is to establish a framework for regularly gathering, compiling, assessing, and reporting data currently being collected under Water Board programs and external programs. The long-term goal (Phase II, 3-5 years) is a comprehensive monitoring and assessment program for water quality and water quality standards attainment in the Delta that is fully integrated and coordinated among all existing programs. For more information see [http://www.waterboards.ca.gov/centralvalley/water\\_issues/delta\\_water\\_quality/comprehensive\\_monitoring\\_program/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/delta_water_quality/comprehensive_monitoring_program/index.shtml)

In addition, as part of this and other efforts, the Water Boards have been coordinating with the U.S. EPA's project to establish a San Joaquin River Basin Monitoring Strategy. In support of the Delta RMP, and the San Joaquin Strategy, the Aquatic Science Center, with funding and support by the Water Boards and U.S. Environmental Protection Agency, is developing an on-line directory of water quality monitoring activities in the Central Valley, including the Delta, to facilitate monitoring coordination and integration.

Second, any actions related to water quality threats in the Delta should be coordinated with ongoing actions related to the update of the Water Quality Control Plan for the Bay-Delta. The Staff Report of the Periodic Review of the 2006 Bay-Delta Plan (adopted August 4, 2009 by State Water Board Resolution 2009-0065) recommends that the State Water Board conduct further review of

several water quality objectives contained in the Bay-Delta Plan. Further, it reiterates the State Water Board commitment to update the San Joaquin River flows and southern Delta salinity objectives contained with the Bay-Delta Plan. The State Water Board has been working with a variety of federal and state agencies as part of the San Joaquin River flows and southern Delta salinity objectives effort. For more information see [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/periodic\\_review/index.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/periodic_review/index.shtml)

Although the federal Work Plan focuses on the Delta and Suisun Marsh, it is important to note that State Water Board efforts in the San Joaquin River watershed are coordinated to the extent possible especially with respect to consistency. These other San Joaquin-related projects include Federal Energy Regulatory Commission activities on the Toulumne and Merced rivers, San Joaquin Restoration activities for the upper main-stem San Joaquin River, CV-SALTS, and implementation of the Vernalis Salt and Boron TMDL.

Third, actions within this category should also be coordinated with new legislative mandates in Senate Bill No. 1 (7th Ex. Sess. 2009; also known as SBX7 1), enacted November 12, 2009. This bill requires the State Water Board to: 1) appoint a Delta Watermaster and develop procedures governing the Delta Watermaster's activities; 2) establish, by December 31, 2010, an effective system of Delta watershed diversion data collection and public reporting; 3) submit to the Legislature by December 31, 2010, a prioritized schedule and estimate of costs to complete instream flow studies for the Delta and for high priority rivers and streams in the Delta watershed by 2012, and for all major rivers and streams outside the Sacramento River watershed by 2018. In particular, the State Water Board must develop Delta Flow Criteria within nine months of the enactment of SBX7 1 through a public process.

#### Conservation, Recycling and Efficiencies in Water Use and Activities that Benefit the Ecosystem

Any proposed actions within this category should be coordinated with State Water Board activities related to water conservation, recycling, and efficiencies. The Water Boards' Strategic Plan 2008-2012 specifies goals relevant to water conservation, recycling and efficiencies: promoting sustainable local water supplies and comprehensively addressing water quality protection and restoration, and the relationship between water quality, water quantity, and climate change, throughout California's water planning processes. The State Water Board Bay-Delta Strategic Workplan also identifies actions the State Water Board will take to promote water conservation as one the key activities necessary to protect the beneficial uses in the Delta. In addition, actions within this category should also be coordinated with new legislative mandates in Senate Bill No. 7 (7th Ex. Session 2009), enacted November 10, 2009. This bill promotes water conservation in the state by: (1) establishing a statewide water conservation target of 20 percent reduction in statewide urban per capita water use by

December 31, 2020, with interim target of 10 percent by December 31, 2015; (2) requiring each urban water retail water supplier to develop an urban water use target and interim urban water use target by July 1, 2011, using methods specified in the bill; and to meet its interim and final urban water use targets by specified dates; (3) requiring the Department of Water Resources (DWR) to review the 2015 urban water management plans and report to the Legislature on progress towards achieving the 20 percent reduction goal; and (4) requiring DWR, in consultation with the State Water Board, California Bay-Delta Authority, Department of Public Health, and the Public Utility Commission, to develop a single standardized water use reporting form to meet the water use information needs of each agency.